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5 Attorney for Plaintiff,  
6 Gerardo Hernandez

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

GERARDO HERNANDEZ.

No. 2:20-cv-02390-DJC-JDP

**Plaintiff.**

**STIPULATION FOR DISMISSAL OF  
ACTION WITH REQUEST FOR COURT  
TO RETAIN JURISDICTION TO  
ENFORCE SETTLEMENT  
AGREEMENT; ORDER**

VS

**ARS HOSPITALITY, INC. dba HAMPTON  
INN SUITES CAL EXPO;**

Defendant.

16 || Defendant.

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**STIPULATION FOR DISMISSAL OF ACTION WITH REQUEST FOR COURT TO RETAIN  
JURISDICTION TO ENFORCE SETTLEMENT AGREEMENT; ORDER**

1           **IT IS HEREBY STIPULATED** by and between Plaintiff Gerardo Hernandez and  
2 Defendant, ARS Hospitality, Inc. dba Hampton Inn Suites Cal Expo (“Defendant”), the parties  
3 to this action, that pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the action be  
4 dismissed with prejudice, except that the Parties hereby request that the Court retain  
5 jurisdiction to enter a stipulated judgment in the form attached hereto as Exhibit A, which is to  
6 be completed and filed by Plaintiff in the event Defendant defaults on its payment obligations  
7 under the parties’ settlement agreement. Each party is to bear its own attorneys’ fees and costs.  
8

9 Dated: November 9, 2023

MOORE LAW FIRM, P.C.

10           \_\_\_\_\_  
11           /s/ *Tanya E. Moore*  
12           Tanya E. Moore  
13           Attorney for Plaintiff,  
14           Gerardo Hernandez

15 Dated: November 9, 2023

STILLMAN & ASSOCIATES

16           \_\_\_\_\_  
17           /s/ *Philip H. Stillman*  
18           Philip H. Stillman  
19           Attorneys for Defendant,  
20           ARS Hospitality, Inc.

**ORDER**

21           Pursuant to the parties’ stipulated request,

22           **IT IS HEREBY ORDERED** that this matter is dismissed with prejudice, with each  
23 party to bear its own attorney’s fees and costs, except that the Court shall retain jurisdiction to  
24 enter a stipulated judgment in the form attached hereto as Exhibit A, which is to be completed  
25 and filed by Plaintiff in the event Defendant defaults on its payment obligations under the  
26 parties’ settlement agreement.

27           **IT IS SO ORDERED.**

28 Dated: November 14, 2023

/s/ Daniel J. Calabretta

THE HONORABLE DANIEL J. CALABRETTA  
UNITED STATES DISTRICT JUDGE

STIPULATION FOR DISMISSAL OF ACTION WITH REQUEST FOR COURT TO RETAIN  
JURISDICTION TO ENFORCE SETTLEMENT AGREEMENT; ORDER